

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

IN THE MATTER OF THE APPLICATION
FOR SOUTH DAKOTA RESPIRATORY CARE
PRACTITIONER LICENSURE
SUBMITTED BY MICHAEL GREENE

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

WHEREAS, the investigative review panel of the South Dakota Board of Medical and Osteopathic Examiners consisting Mr. Bernie Christenson, board member investigator, Margaret B. Hansen, executive director, Donald N. Srstka, general counsel, and H. Adrian Mohr, board investigator, having performed due diligence with regard to the application of Michael Greene for licensure, and the South Dakota Board of Medical and Osteopathic Examiners, being fully advised of the premises, hereby makes and enters its:

FINDINGS OF FACT

1. October 29, 2007 – Michael Greene, hereinafter called Applicant, signed and submitted his initial application for licensure. The application was not complete and the applicant was advised accordingly.
2. November 14, 2007 – Amended application received by FedEx. Applicant reported that his employment was terminated from Good Samaritan Hospital in 1993. Investigation was initiated.
3. December 6, 2007 – Letter to applicant requesting that he come to the Board office to meet with the Investigative Review Panel. Applicant refused request.
4. April 30, 2008 – Report from board investigator completed.
5. June 10, 2008 – Letter to applicant from board investigator stating that his application will be presented to the Board at the September 10, 2008 meeting.
6. September 5, 2008 – Email from applicant requesting that he be allowed to withdraw his application for licensure.

CONCLUSIONS OF LAW

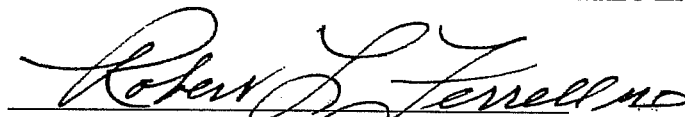
1. The Board has jurisdiction over the application for licensure under the provisions of SDCL Chapter 36-4C.
2. The applicant has the burden of proving that he is competent and that he is of good moral character.
3. The Board has received a request to withdraw the initial application from the applicant.

4. The Board may grant an applicant's request to withdraw an application while under investigation.

IT IS HEREBY ORDERED that the Findings of Fact and Conclusions of Law herein are approved.

Dated this 10 day of September, 2008

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS


Robert L. Ferrell, MD, President

STATE OF SOUTH DAKOTA } S.S.
MINNEHAHA COUNTY

I hereby certify that the foregoing
instrument is a true and correct copy
of the original as the same appears
on the record in my office.

Executive Secretary

By MBH by JTP
Date 9-17-08

THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

IN THE MATTER OF THE
APPLICATION FOR A SOUTH
DAKOTA RESPIRATORY CARE
PRACTITIONER LICENSE
SUBMITTED BY MICHAEL GREENE

ORDER TO GRANT
WITHDRAWAL OF
RESPIRATORY CARE
PRACTITIONER APPLICATION
WHILE UNDER
INVESTIGATION


The above-entitled matter having come before the South Dakota Board of Medical and Osteopathic Examiners, and the Board having been informed that an investigation was initiated by H. Adrian Mohr, board investigator, and Margaret Hansen, executive director due to information found in the application; and the applicant subsequently requested that he be allowed to withdraw the initial application for licensure; and the Board being fully advised in the premises and having heretofore made and entered its Findings Of Fact And Conclusions Of Law, it is therefore ORDERED that the request from Michael Greene, applicant for South Dakota respiratory care practitioner license, is granted and Mr. Greene will be allowed to withdraw while under investigation, and that this ORDER TO ALLOW WITHDRAWAL WHILE UNDER INVESTIGATION is a public document that will be published on the Board website, reported to all entities the Board deems appropriate and necessary, and placed in the investigative file so that if the applicant submits an application for licensure in the future, the investigative file will be reopened and available for any future investigation.

Dated this 10 day of September, 2008

SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

STATE OF SOUTH DAKOTA } S.S.
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SDBMOE

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